



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Docket Number:
1662/62005

Application Number
10/799,376

Filing Date
March 12, 2004

Examiner
Patricia L. Morris

Art Unit
1625

Invention Title
**Crystalline and Amorphous Solids of Pantoprazole
and Processes for Their Preparation**

Inventors
FINKELSTEIN, et al.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
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Date: December 7, 2005

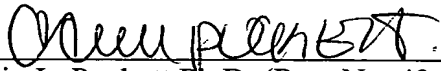
Signature: _____

Julie Inero
JULIE INERO

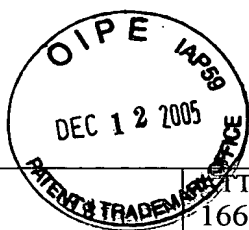
1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
2. A copy of each patent, publication or other information listed on the modified PTO form 1449 is enclosed.
3. In accordance with the Official Gazette of August 5, 2003, which stated that the United States Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, copies of each of the cited U.S. patents and U.S. patent application publications are not being provided
4. A copy of the European Search Report from European Patent Office in a counterpart foreign application is enclosed.

5. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.17(p) (submission of an Information Disclosure Statement under §1.97(c)) fee of \$180.00 and any additional fees that may be required to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. A copy of this communication is enclosed for charging purposes.

Dated: December 7, 2005

By: 
Craig L. Puckett Ph.D. (Reg. No. 43,023)

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**SUPPLEMENTAL INFORMATION
DISCLOSURE
STATEMENT BY APPLICANT
PTO-1449**

UTILITY DOCKET NO.
1662/62005

U.S. SERIAL NO.
10/799,376

APPLICANT(S)
Nina FINKELSTEIN, et al.

FILING DATE
March 12, 2004

GROUP
1625

U. S. PATENT DOCUMENTS

| EXAMINER INITIAL | PATENT NUMBER | PATENT DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|---------------------|------------------|----------------|---------------|-------|----------|----------------|
| | US 4,758,579 | July 19, 1988 | Kohl B et al. | | | |
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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|---------------------|--------------------|------------------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | DE 40 35 455 | May 14, 1992 | Germany | | | | X |
| | WO 02/28852 | April 11, 2002 | PCT | | | | |
| | WO 96/02535 | February 1, 1996 | PCT | | | | |
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OTHER DOCUMENTS

| EXAMINER INITIAL | | AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC. |
|---------------------|--|--|
| | | Brittain H G, Editor: Analytical Profiles of Drug Substances and Excipients; vol. 29, 2002 XP008031282, Academic Press, Amsterdam, Badwan A A et al., "Pantoprazole sodium", pages 213-259 |
| | | |
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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |